



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 19, 2010

Mr. Speaker:

The House Rules Committee recommends, with written request of the sponsor, that H.B. 62, Penalties for Violent Crime in Presence of a Child (*Rep. J. Fisher*) be amended as follows and further recommends it be assigned to the House Judiciary Standing Committee:

1. *Page 1, Line 10:*

10 This bill modifies the Criminal Code to provide {~~graduated penalties~~} a
penalty for committing a

2. *Page 1, Line 14:*

14 ► provides a {~~class A~~} class B misdemeanor penalty for a person who,
while in the presence of

3. *Page 1, Lines 20 through 21:*

20 { ~~provides for a class B misdemeanor penalty for a person who commits any~~
~~other~~
21 ~~violent criminal offense in the presence of a child;~~ }

4. *Page 2, Lines 28 through 31:*

28 the cohabitant and specifies that either or both charges may be filed by the prosecutor;
and
29 { ~~provides that a person who commits a violent offense in the presence of~~
~~a child~~
30 ~~when more than one child is present is guilty of one violation regarding each child~~
31 ~~who is present when the offense occurred; and~~ }

5. *Page 2, Lines 47 through 48:*

47 (i) in the physical presence of a child younger than 14 years of age;
{~~or~~} and
48 (ii) having knowledge that {~~a~~} the child {~~younger than 14 years of~~
age} is present and may see

6. *Page 3, Line 62:*

62 (3) ~~{(a)}~~ A person who violates Subsection (2) ~~{(a) or (b)}~~ is guilty of a
 ~~{class A}~~ class B

7. Page 3, Line 64:

64 ~~{(b) A person who violates Subsection (2)(c) is guilty of a class B~~
 ~~misdemeanor.}~~

8. Page 3, Lines 72 through 74:

72 ~~{(6) A person who commits a violation of Subsection (2) when more than one~~
 ~~child is~~
73 ~~present is guilty of one violation of Subsection (2) regarding each child who is~~
 ~~present when~~
74 ~~the offense occurred.}~~

Respectfully,

Rep. Ben Ferry, Chair